

**TRIAL/HEARING ON:**

**1-1) 15** Application to Employ Barron & Newburger, P.C. as Bankruptcy Counsel filed by Stephen W. Sather for Debtor Westmount Group, Inc.

**1-3) 32** Amended Motion to Dismiss Case filed by E. P. Bud Kirk for Creditor Albert Flores (Related Document(s): 17 Motion to Dismiss Case filed by E. P. Bud Kirk for Creditor Albert Flores

**1-4) 33** Amended First Amended Supplement to Albert Flores' Motion to Dismiss Chapter 11 Case as a Bad Faith Filing filed by E. P. Bud Kirk for Creditor Albert Flores. (Related Document(s): 19 Supplement of Albert Flores to His Motion to Dismiss Chapter 11 Case as a Bad-Faith Filing filed by E. P. Bud Kirk for Creditor Albert Flores. (Related Document(s): 17 Motion to Dismiss Case filed by E. P. Bud Kirk for Creditor Albert Flores

**EXHIBIT INDEX AND WITNESS LIST**

<b>DEBTOR'S /Movants ATTORNEY(s):</b>  Stephen Sather	<b>Respondent/Movants ATTORNEY(s):</b>  Bud Kirk, Jim Brewer and Brad Odell (SubV TR)	<b>Case Number:</b>  21-30633-hcm
		<b>Hearing/Trial Date(s):</b>  10/26/2021
<b>PRESIDING JUDGE</b>  Judge H. Christopher Mott	<b>COURT REPORTER</b>  Bobby Yarbrough	<b>COURTROOM DEPUTY</b>  Ronda Farrar

<b>PLA /Mov NO.</b>	<b>DEF/Resp NO.</b>	<b>DATE OFFERRED</b>	<b>MARKED</b>	<b>ADMITTED</b>	<b>DESCRIPTION</b>
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<b>DB-1</b>		<b>10/26/2021</b>		<b>10/26/2021</b>	<b>Third Amended Original Petition of Albert Flores without exhibits</b>
<b>DB-2</b>		<b>10/26/2021</b>		<b>10/26/2021</b>	<b>Plea in Intervention of Westmount Group, Inc.</b>
<b>DB-3</b>		<b>10/26/2021</b>		<b>10/26/2021</b>	<b>Motion to Vacate</b>
<b>DB-4</b>		<b>10/26/2021</b>		<b>10/26/2021</b>	<b>Schedules</b>
<b>DB-5</b>		<b>10/26/2021</b>		<b>10/26/2021</b>	<b>Statement of Financial Affairs</b>
<b>DB-6</b>		<b>10/26/2021</b>		<b>10/26/2021</b>	<b>Amended Schedules and Statement of Financial Affairs</b>

DB-7		10/26/2021		10/26/2021	Email from Stephen W. Sather to Bud Kirk dated September 21, 2021
DB-8		10/26/2021		10/26/2021	Promissory Note from Debtor to Montoya Park Place, Inc.
DB-9		10/26/2021		10/26/2021	Verification of Funds for Account 7852
DB-10		10/26/2021		10/26/2021	Verification of Funds for Account 7582
DB-11		10/26/2021		10/26/2021	538 East Road Closing Documents
DB-12		10/26/2021		10/26/2021	3320 Montana Closing Documents
DB-13		10/26/2021		10/26/2021	4325 Leeds Closing Documents
DB-14		10/26/2021		10/26/2021	4500 Frankfort Closing Documents
DB-15		10/26/2021		10/26/2021	4537 Skylark Closing Documents
DB-16		10/26/2021		10/26/2021	9532 Charleston Closing Documents
DB-17		10/26/2021		10/26/2021	Loan to 71 Camille, Inc.
DB-18		10/26/2021		10/26/2021	Consulting Agreement Techrover, Inc.
DB-19		10/26/2021		10/26/2021	Consulting Agreement Westmount Assets, Inc.
DB-20		10/26/2021		10/26/2021	Final statement on Wells Fargo line of credit
DB-21		10/26/2021		10/26/2021	Techrover Bank Statement dated 7-8-2021
DB-22		10/26/2021		10/26/2021	Westmount Group, Inc. bank statement dated 7-31-2021
DB-23		10/26/2021		10/26/2021	Westmount Group, Inc. bank Statement dated 8-31-2021
					<a href="#">Exhibits on the Amended Motion to Dismiss</a>
	AF-1	10/26/2021		10/26/2021	Exhibit "1" Joint Order to Compel Interpleader and Hold Funds into Registry of Court.
	AF-2	10/26/2021		10/26/2021	Exhibit "2" Third Amended Petition (Suit for Rescission of Contract, For Fraud in a Stock Transaction, for Unjust Enrichment, for Common Law Fraud, for Injunction Relief, and to Appoint a Receiver) <b>with Exhibits A-M</b> Exhibit "A" Texas Secretary of State Certificate of Incorporation. Exhibit "B" Warranty Deed.

					<p>Exhibit "C" Trustee's Deed.</p> <p>Exhibit "D" Agreement of Subordination and Opportunity to Cure.</p> <p>Exhibit "E" Cashier's check for \$280,000.00.</p> <p>Exhibit "F" Stock Purchase Agreement.</p> <p>Exhibit "G" Document stating that FLORES was not entitled personally to "any portion of the disputed amount of \$700,000, due to [sic] the sale of real estate known as TRACT 3, Johannsen Subdivision "5980 Johannsen Road" claimed by Right Immix Capital.</p> <p>Exhibit "H" RIGHT IMMIX CAPITAL, LLC demand, dated July 17, 2020.</p> <p>Exhibit "I" RIGHT IMMIX CAPITAL, LLC demand, dated July 24, 2020.</p> <p>Exhibit "J" Demand for the money to pay RIGHT IMMIX CAPITAL, LLC from WESTSTAR TITLE, dated July 23, 2020.</p> <p>Exhibit "K" Demand for the money to pay RIGHT IMMIX CAPITAL, LLC from FIDELITY NATIONAL TITLE INSURANCE, dated August 20, 2020.</p> <p>Exhibit "L" Title Policy.</p> <p>Exhibit "M" Affidavit of ALBERT FLORES.</p>
	AF-3	10/26/2021		10/26/2021	Certificate of Formation
	AF-9	10/26/2021		10/26/2021	Order for Substitution of Counsel
	AF-10	10/26/2021		10/26/2021	Agreed Temporary Restraining Order
	AF-11	10/26/2021		10/26/2021	Agreed Temporary Injunction
	AF-12	10/26/2021		10/26/2021	May 18, 2020 Hearing Transcript
	AF-13	10/26/2021		10/26/2021	Fidelity National Title Insurance Company's Amended Petition in Intervention without its Exhibits
	AF-14	10/26/2021		10/26/2021	First Amended Petition in Intervention of Weststar Title, LLC
	AF-15	10/26/2021		10/26/2021	Letter from Wells Fargo
	AF-16	10/26/2021		10/26/2021	Letter from Wells Fargo
	AF-17	10/26/2021		10/26/2021	June 8, 2021 Hearing Transcript

	<b>AF-18</b>	<b>10/26/2021</b>		<b>10/26/2021</b>	<b>July 14, 2021 Hearing Transcript</b>
	<b>AF-19</b>	<b>10/26/2021</b>		<b>10/26/2021</b>	<b>Plea in Intervention of Westmount Group, LLC</b>
	<b>AF-19a</b>	<b>10/26/2021</b>		<b>10/26/2021</b>	<b>Motion to Vacate Orders</b>
					<b>Exhibits on First Amended Supplement</b>
	<b>AF-A</b>	<b>10/26/2021</b>		<b>10/26/2021</b>	<b>Texas Secretary of State Business Organization Inquiry-Westmount Assets, Inc.</b>
	<b>AF-B</b>	<b>10/26/2021</b>		<b>10/26/2021</b>	<b>Texas Secretary of State Business Organization Inquiry-71 Camille, Inc.</b>
	<b>AF-C</b>	<b>10/26/2021</b>		<b>10/26/2021</b>	<b>Texas Secretary of State Business Organization Inquiry-538 East, Inc.</b>
	<b>AF-D</b>	<b>10/26/2021</b>		<b>10/26/2021</b>	<b>Texas Secretary of State Business Organization Inquiry-TRR 4133, Inc.</b>
	<b>AF-F</b>	<b>10/26/2021</b>		<b>10/26/2021</b>	<b>Texas Franchise Tax Public Information Report</b>
					<b>Exhibits on Amended Objection to Application to Employ</b>
	<b>AF-A</b>	<b>10/26/2021</b>		<b>10/26/2021</b>	<b>Plea in Intervention of Westmount Group, Inc.</b>
	<b>AF-B</b>	<b>10/26/2021</b>		<b>10/26/2021</b>	<b>Money Market Certificate in the amount of \$700,000.00</b>
	<b>AF-C</b>	<b>10/26/2021</b>		<b>10/26/2021</b>	<b>Money Markey Certificate in the amount of \$338,000.00</b>
	<b>AF-D</b>	<b>10/26/2021</b>		<b>10/26/2021</b>	<b>May 18, 2020 Hearing Transcript</b>
	<b>AF-E</b>	<b>10/26/2021</b>		<b>10/26/2021</b>	<b>June 8, 2021 Hearing Transcript</b>
	<b>AF-H</b>	<b>10/26/2021</b>		<b>10/26/2021</b>	<b>Motion to Vacate Orders</b>
	<b>AF-I</b>	<b>10/26/2021</b>		<b>10/26/2021</b>	<b>September 21, 2021 email from Steve Sather</b>
					<b>Witness 1: Albert Flores</b>
					<b>Witness 2: Keyvan Parsa</b>
					<b>Witness 3: Stephen Wayne Sather</b>